

REGULAR COMMON COUNCIL MEETING AUGUST 1, 2011 7:00 P.M.

Regular Meeting The Regular meeting of the Common Council of the City of Middletown was

held in the Council Chamber of the Municipal Building on Monday, August 1,

2011 at 7 p.m.

Present Mayor Sebastian N. Giuliano, Deputy Mayor Joseph E. Bibisi; Council

Members: Thomas J. Serra, Ronald P. Klattenberg, Philip J. Pessina, Gerald E. Daley, Robert P. Santangelo, James B. Streeto, Grady L. Faulkner, Jr., Deborah A. Kleckowski, David Bauer, and Daniel Drew; Corporation Counsel William Howard, Sergeant-at-arms Acting Chief of Police Patrick McMahon; and Common Council Clerk Marie O. Norwood.

Absent Council Member Hope P. Kasper.

Also Present Twenty-five members of the public

Meeting Called to Order The Acting Chair calls the meeting to order at 7:03 p.m. and leads the public

in the Pledge of Allegiance.

Call of Meeting Read The Call of the meeting is read and accepted. The Deputy Mayor declares

this call a legal call and the meeting a legal meeting.

Motion to Amend Agenda Councilman Serra moves to amend the agenda by removing agenda item 9-

10 regarding improvements to the MAT Transit Station. He states the intent is also to move agenda item 9-8 back to the Ordinance Study so the committee can interact with the committees so we can get it corrected. Councilman Bauer seconds the motion. The vote is called and it is unanimous, with to approve with eleven aye votes by the members present

and voting. The Acting Chair states the motion carries unanimously.

The Acting Chair asks for a motion to approve the minutes of July 5; Councilman Streeto so moves and is seconded by Councilman Bauer. The Acting Chair calls for the vote and it is unanimous to approve with ten aye

votes. Councilman Streeto abstains.

Noted for the RecordCouncilman Serra states we should be doing presentations. The Acting

Chair recognizes Councilman Streeto.

Agenda Items 3-1 through 3-4

Resolutions

Agenda Item 3-2

Councilman Streeto asks if Charlotte Bankowski is here. She comes forward to the public podium. Councilman Streeto reads the resolution in its entirety and moves it for approval. His motion is seconded by Councilman Bauer. The Acting Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair declares the matter approved. Councilman Streeto

congratulates Mrs. Bankowski on behalf of the Council.

Resolution No. File Name Description (Approved)

Description

119-11

ccbankowski2011.doc

Honoring Charlotte Bankowski upon her retirement

Whereas, Charlotte Bankowski began working for the City of Middletown in May, 1987 as a Clerk Typist I with the Middletown Fire Department; and

Whereas, she became the Fire Records Clerk in 1988 and was promoted to the Fire Prevention Bureau Secretary in 1998; and

Whereas, Charlotte has been a responsible and dependable employee in the Fire Department and after twenty-four years is retiring from service in the City of Middletown.

Now, Therefore, Be it Resolved by the Common Council of the City of Middletown: That, on behalf of the citizens of Middletown, we thank Charlotte Bankowski for twenty-four years of service to the City and we offer our congratulations and our best wishes to her for a happy, healthy retirement; and

Be It Further Resolved: That we wish Charlotte good luck in all her future endeavors.

Councilman Klattenberg asks if Mr. Affinito is present. He states he would like to read the resolution in his honor. He does so and moves it for approval. Councilman Pessina seconds the motion. The Acting Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Acting Chair states the matter passes unanimously.

Resolution No. File Name Description (Approved)

120-11 ccaffinito.doc

Honoring John Affinito upon his retirement from the City.

Whereas, John R. Affinito began working for the City of Middletown in July, 2000 with the Water and Sewer Department; and

Whereas, John worked as the Water Filtration Plant Operator I and in 2009 was promoted to Water Treatment Plant Operator II; and

Whereas, John has worked diligently in the Water and Sewer Department for ten years and is retiring from service in the City of Middletown.

Now, Therefore, Be it Resolved by the Common Council of the City of Middletown: That, on behalf of the citizens of Middletown, we thank John Affinito for his ten years of service to the City of Middletown and we offer our congratulations and our best wishes to him for a happy, healthy retirement; and

Be It Further Resolved: That we wish him good luck in all her future endeavors.

Agenda Item

Councilman Faulkner moves to the public podium and invites the young women in the program to come forward. He reads the resolution honoring the participants in the Young Women's Leadership Institute. His motion is seconded by Councilman Pessina. The Acting Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Acting Chair states the matter passes unanimously. Councilman Faulkner wishes to address the resolution and acknowledges that he is a big advocate for young people and we need more leadership programs for them. He is proud the community developed this program and appreciates what NEAT and the Green Street Arts Center has done for opening this up. We see a lot of things they do and we should hold them up as an example and we should replicate it throughout the City. We should concentrate on doing that. Councilman Pessina asks if the young ladies could come forward and shake hands with the Council.

Resolution No. File Name Description

(Approved)

121-11

<u>3-4</u>

ccyoungwomensleadershipinstitute2011

Congratulating the participants of the Green Street Arts Center Young Women's Leadership Institute upon completing the program.

Whereas, the Green Street Arts Center of Wesleyan University introduced The Young Women's Leadership Institute program in the North End of Middletown; and

Whereas, the program is designed to teach leadership and critical thinking skills through an art and science curriculum; and

Whereas, the young women in the program worked with women from Wesleyan University, local businesses, non-profit organizations and the arts to develop their leadership skills; and

Whereas, the first class of future women leaders will complete the program on August 5, including students Kayla Butler, Diana Cabral, Shyla Daniels, Paige Dufour, Marshay Harvin, Shakira Hernandez, Lorddmer Oduro, Victoria Rucker, Keya Stahl, Tyanna Turner, Nia West, and Kendalyn Zipf, under the leadership of Shamar Chin.

Now, Therefore, Be it Resolved by the Common Council of the City of Middletown: That we congratulate the participants on their achievement in completing this program; we thank all the women involved who provided their expertise to help develop future leaders; and

Be It Further Resolved: That we encourage our youth to participate in programs that help them become leaders of their community and we anticipate their contributions in all aspects of our community.

Agenda Item

Councilman Daley asks Mr. Barniski to come forward. He is not present. Councilman Daley reads the resolution and moves it for approval. His motion is seconded by Councilman Bauer. The Acting Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the matter is approved unanimously.

Resolution No. File Name Description (Approved) 122-11

3-1

ccbarniski2011.doc

Honoring Bernard Barniski upon his retirement.

Whereas, Bernie Barniski was hired on a temporary basis by the City of Middletown in August, 1980; and

Whereas, he became a permanent employee in November, 1980, working in the Public Works, Sanitation Department as a Groundman Loader; and

Whereas, Bernie has retired after 29 years of service to the City of Middletown.

Now, Therefore, Be It Resolved By The Common Council Of The City Of Middletown: That, on behalf of the citizens of Middletown, we thank Bernard Barniski for 29 years of service to the City of Middletown and we offer our congratulations and our best wishes for a healthy, happy retirement; and

Be It Further Resolved: That we wish him good luck in all his future endeavors.

Agenda Item Description

4

Approval of Minutes

The Acting Chair asks if there are any deletions or corrections to the minutes; hearing none he requests a motion to approve the minutes of the regular Common Council meeting of July 5, 2011 at 7 p.m. meeting; Special Meetings of July 5, 2011 at 6 p.m., July 5, 2011 at 6:30 p.m., July 14, 2011 at 7 p.m. and July 14, 2011 Immediately following the 7 p.m. meeting, meetings having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council Member, the reading of the same having been dispensed with, Councilman Serra moves the July 5, 2011 at 6 for approval and is seconded by Councilman Pessina. Councilman Serra moves the minutes for July 5 at 6:30 for approval and Councilman Pessina seconds the motion; the July14 meeting at 6 p.m. is moved for approval by Councilman Serra and a second by Councilman Pessina; and July 14, 2011 Immediately following the 7 p.m. meeting is moved by Councilman Pessina and seconded by Councilman Councilman Klattenberg is recognized and states he will be abstaining from each of the votes on the minutes as presented this evening; Councilman Streeto states he will, as well. Councilman Daley states he will abstain from the vote on the 6 p.m. July 5 meeting only. Hearing no further discussion, the Acting Chair calls for the vote on the minutes. approved unanimously with the noted abstentions. The Acting Chair states the matters are approved with the abstentions noted.

Agenda Items

5 and 6

Description

Public Hearing Opens on Agenda Items

Public Hearing Opens

The Acting Chair opens the public hearing on agenda items at 7:19 p.m.

Noted for the Record

Councilman Drew takes his seat in the chamber at 7:19 p.m.

Acting Chair Bibisi recognizes Susan Bransfield, First Selectwoman of Portland who addresses item 9-1; she speaks to the Interlocal Agreement with Portland and would like the Council to support it. They have had the agreement for many, many years. The Board of Selectmen has passed this already and hopes the Middletown Council will pass it. She compliments Dispatch with the work they do as well as police and fire and other emergency services. She is delighted to be here and speak to you on this.

Noted for the Record

Mayor Giuliano takes his seat at 7:21 p.m.

Acting Chair Bibisi states regionalization is the way to go. Ms Bransfield states Middletown is a pioneer in this with and Portland and hopes the Council will support it.

Chair Giuliano recognizes Mark Masselli, Lucy McMillan and Jennifer Alexander; they address agenda item 9-11, a celebration that people have been working on since January. We all experience what to do on New Year's eve and when we go to one of those events we think Middletown would be the best location for families to celebrate in a nonalcoholic event. They are putting together Middnight on Main. It would start from 3 p.m. to midnight. It would bring young families to Main Street. He shows the layout of the 14 venues on Main Street for events. Every hour on the hour, 14 places have a performer and they have signed on quality performers for this. Families walk up and down the street; there does not need to be a shut down and it would be exciting for businesses. They could stay open late and they expect 3 - 5 thousand people to celebrate this. There is a website on this and there is a wide range of performers. It is from Rapallo Avenue to Dingwall Drive. All the places agreed to be stages for the events. It is affordable, but it is by ticket sales. It will also have business sponsors. They ask the City to think about the support services they need. They will do fireworks at 6:15 p.m. from a Main Street building; they are working with the Fire Department. They are rated to be in a building. It will be exciting for Middletown. He asks Jennifer to speak to the performers and Lucy to the

groups participating in the process. Ms Alexander states they have a programming committee that will appeal to all kinds of people. have children performers at 3 p.m. and at the same time, there will be classical music, and music from all over the world. We have a Wesleyan professor curating films. There will be author talks and cooking demos and bands to dance to. It will bring out people from all walks of life. It will be hopefully an annual event. Lucy McMillan states she coordinated this event and there ware so many people at the table. And we have numerous partners and art organizations. The list goes on. It is a really good experience and lot has been done so far. There is a volunteer committee and sponsorship committee and public services committee. She addresses that they have 150 volunteers to make it possible and there is an application that you can fill out on-line. You can volunteer for a 3 hour shift. You can choose it. Mr. Masselli states without Lucy's leadership we would not be this far along. He gives the website and at midnight, at Holy Trinity Church, we will do a group of Tyco drummers and we will ring bells. We have the bells printed and we will sell pins and that is the entryway into these events. They will have a lot of activity. Community Health Center has been involved in kicking off the sponsorship. He asks if there are questions. states we will suspend the rules. Councilman Klattenberg asks the situation with parking, will that be addressed. Mr. Masselli responds that Middlesex Mutual has donated their entire tower and the material they have highlights where to park. We started in January and we expect to fill up all parking downtown and we hope every restaurant benefits. Councilman Klattenberg states this is an exciting idea.

Councilman Streeto states he advises you to touch base with Bill Russo regarding snow removal. Mr. Masselli responds we have that we are worried about trash the next day. This is held in inclement weather. It will be festive and we will be doing great things. He hopes everyone welcomes in the New Year in Middletown. Anything we can do to promote businesses and our lifestyle here is good for the whole community. We are asking the City to think about the issues of police and fire. He thanks the Council.

Earle Roberts addresses the Council on agenda items and discusses the tight budgets. He saved money last year and thought he would save more. On the transfers, the Police Department, there were 97 accounts where he saved money or over budgeted. He brings it up that the money will go back to the general fund. There may be a discussion with the Finance Director On 9-1, the Interlocal Agreement, he supports the how we address it. concept of consolidation and regionalization. He reads a paragraph from the resolution. The agreement lowers the overall costs for services to the City and it lends the discussion to do more with our personnel. We should look at all departments. He discusses 9-3, Panuzio Giordano, for a number of years the \$24,000 of taxpayer money and his concern about this is it would be helpful to know a summary that says things about their work for their money. Do we ask for goals and achievements for this money. We pay directors to do this type of thing for lobbying. We have the internet and computer and open to get information. How do we anticipate bidding for this service. Lastly is 9-11, about Middnight on Main; he is not opposed to it. Maybe it will keep him up for midnight and who knows, it might be the Time Square of Connecticut. The positive side, it will be well-received. The concern he has is the \$10,000 limit. Is there an expense budget laid out or are you throwing out a number. The other issue is the showmobile and not waiving the fee but Councilman Streeto mentioned if we have a snowstorm there would be a use for the showmobile. That is a good initiative and hopes it carries on relative to waiving. It is unfortunate there wasn't more for the Country's birthday and fireworks. We missed the opportunity for that and it deserved recognition.

Public Hearing Closed

The Chair asks if there are other members of the public who wish to speak to come forward. Seeing none, the Chair closes the public hearing on agenda items at 7:39 p.m.

Agenda Item Description

7 Department, Committee, Commission Reports and Grant Approvals

The Chair recognizes Councilman Serra for Department, committee, commission reports and grant confirmation and approvals. Councilman Serra moves items 7A, 7B, 7C, 7D, 7E, 7F, and 7G, move approval. Councilman Pessina seconds the motion. The Chair states the Department and Committee reports and Grant confirmations have been moved and seconded and recognizes Councilman Bauer. Councilman Bauer states he has been advocating that Public Works did provide an annual report and he asks for feedback as to what you want to know about the fees. The Chair, hearing no further discussion, calls for the vote. It is unanimous to approve

Agenda Item Description (Approved)

with eleven aye votes. The Chair states they are accepted/adopted unanimously with eleven affirmative and one absent and not voting.

7A

Town Clerk Certification

July 29, 2011

I, Sandra Russo Driska, City and Town Clerk of the City of Middletown, and custodian of the records and seal thereof, hereby certify that all ordinances and appropriations passed and adopted at the regular meeting of the Common Council on July 5, 2011 at 7:00 p.m. and specials meetings on July 5, 2011 at 6 p.m., followed by an Executive Session at 6:30 p.m., July 14, 2011 at 7 p.m. and a second special meeting after the 7:00 p.m. session; have been advertised in the local newspaper.

Attest:

Sandra Russo Driska City & Town Clerk

Agenda Item Description (Accepted)

7B

Monthly Reports

Finance Department - Transfer Report to July 22, 2011

Public Works Monthly Annual Report 2010 – 2011 with Bldg Permits

6/2011

Agenda Item Description 7C

Emergency Purchase – Planning, conservation, and Development,

Middletown Framing/Knight Electric Company

(Approved

Agenda Item Description (Accepted)

7D

Police Department Annual Report

Agenda Item Description

7E

Emergency Purchase, Public Works Sanitation District Truck 39\$,

Radiator Repair

(Approved)

Agenda Item Description (Approved)

7F

Grant Confirmation and Approval ó Board of Education

 Name of Grant:
 As Listed Below

 Amount Requested:
 \$1,815,018.89

 Code:
 2450-33000-59405

Grant Period: From: 7/1/2011 To: 6/30/2012

Type of

Amount Loaned from General Fund: \$0.00

Department Administering Grant: Middletown Board of Education

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Not-withstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may thence expended for the purposes for which they were granted.

withstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may thence expended for the purposes for which they were granted.

Description of services to be provided by this Grant:

795 - Connecticut Clean Fuel Program \$63,584; 797 - SERC-Secondary School Reform \$5,000; 798 - Liberty Bank-Bielefield School \$750; 799 - Liberty Bank-Macdonough School \$750; 810 - Idea-Part B, Section 611-Public \$1,279,311; 812 - Idea-Part B, Section 619 \$40,305; 818 - Idea-Part B, Section 611-Non Public \$76,130; 841 - Special Ed Medicaid \$659.52; 700 - Food Services Receipts \$123,631.84; 801 - Cigna Certified & Paras \$153,134.55; 803 - Workers' Compensation \$8,410.24; 805 - Summer School Receipts \$26,425; 809 - Maintenance/Rentals \$15,027.74; 823 - Curriculum Receipts \$3,025; 895 - Special Ed-Tuition Reimbursement \$18.875. Total Grants Estimated

Reimbursement \$18,875. Total Grants Estimated

Requested by: Michael J. Frechette, Ph.D.

Agenda Item Description (Approved)

7G

Grant Confirmation and Approval ó Health Department ó CRCOG

Name of Grant: Middletown CRCOG (Capital Region Council of Governments)

Amount Requested: \$20,073.90

Code: 3230-31000-51220
Grant Period: From: 10/1/2010To:

Type of State
Amount Loaned from General Fund: \$0.00
Department Administering Grant: Health

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Not-

7/31/2011

withstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant: funds received to subsidize salary for Middletown Medical Reserve Corps unit leader Janet Leonardi to the city of Middletown General Fund.

Requested by: Joseph A. Havlicek, MD

Agenda Item Description (Approved)

o Payment of City Bills

Councilman Serra moves to pay all bills that have been properly approved. Councilman Pessina seconds the motion. The Chair calls for the vote and the matter is approved with nine aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Streeto, Faulkner, Kleckowski, and Drew; and one nay vote by Councilman Bauer. The Chair states the matter is approved with ten affirmative, one negative and one absent and not voting.

Agenda Item

9

Description

Ordinances and Resolutions

Agenda Item

9-1

Councilman Santangelo reads and moves for approval agenda item 9-1; his motion is seconded by Councilman Pessina.

The Chair states agenda item 9-1 has been moved and seconded. Councilman Santangelo would like to make one comment; First Selectwoman Sue Bransfield said how long it has been around and it was between 1995 and 1997 so he would say 1996. That is how long it has been around. The Chair states it is a mutually beneficial agreement. Councilman Pessina states weren't we one of the first to put this out. Councilman Santangelo responds this type of agreement and no one came up with an agreement like this because of housing and evidence as well as dispatching. We were one of the first ones. Councilman Pessina comments it is a model.

The Chair calls for the vote; it is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven affirmative, none opposed, and one absent and not voting.

Resolution No. File Name Description

123-11

${\bf cdPortlandInterlocal appres.doc}\\$

Approving the amended Interlocal Agreement between the City of Middletown and Town of Portland for dispatching services and police services for prisoner housing and evidence storage through June 30, 2016; and authorizing Mayor Giuliano to sign the agreement.

(Approved)

Be It Resolved by the Common Council of the City of Middletown: That Mayor Sebastian N. Giuliano is hereby authorized to sign an Inter-Local agreement between the City of Middletown and Town of Portland for dispatching services for the Portland Police and Fire Departments, Primary Service Answering Point for 911 calls in the Town of Portland and use of the Middletown Police facility for prisoner housing and evidence storage for the Portland Police Department and

Be It Further Resolved: That the agreement remain in effect to June 30, 2016

FINANCIAL IMPACT INFORMATION

The agreement provides revenue to the City of Middletown from the Town of Portland for the following amounts:

Fiscal year July 1, 2011 to June 30, 2012 the amount of \$ 95,524.18 Fiscal year July 1, 2012 to June 30, 2013 the amount of \$ 98,389.91 Fiscal year July 1, 2013 to June 30, 2014 the amount of \$101,341.60 Fiscal year July 1, 2014 to June 30, 2015 the amount of \$104,381.85 Fiscal year July 1, 2015 to June 30, 2016 the amount of \$107,513.31

In addition to revenue indicated in the agreement the State of Connecticut provides Municipalities a subsidy for multi-town Primary Service Answering Points (911). The subsidy amount has been \$50,000 to \$60,000 annually.

With out the agreement, incurred costs to the City of Middletown in terms of personnel and equipment would remain the same. The agreement and subsidy lower overall costs of service to the City.

Councilman Faulkner reads and moves for approval agenda item 9-2; his motion is seconded by Councilman Santangelo. The Chair, seeing no discussion, calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven affirmative, none in opposition, and one absent and not voting.

Resolution No. File Name Description

(Approved)

124-11

he2011-2012healthblockgrants.doc

Approving the disbursements of the Public Health Block Grants for fiscal year 2011- 2012 in accordance with the resolution with said grants totaling \$117,000.

Be it resolved by the Common Council of the City of Middletown: that the 2011-2012 City of Middletown budget allocated \$117,000.00 for Public Health Block Grant and

Be It Further Resolved: That the Board of Health recommended the funds to be disbursed as follows:

AGENCY	AMOUNT ALLOCATED BY BOH MEMBERS
CHC – Physician & Medical Center	\$4,000.00
CHC – Dental Program	\$4,000.00
*CHC - New Horizons Battered Women Shelter	*\$25,000.00
	(Funds allocated by the City
	Council)
CRT – Head Start Program	\$2,000.00
CRT – Summer Food Services	\$10,000.00
CRT – Elderly Nutrition Program	\$15,000.00
Middlesex Hospital—Fit for Kids	\$2,500.00
YMCA – The CATCH Program	\$4,000.00
Women & Families Center Sexual Assault Crisis Service	\$5,000.00
Opportunity Knocks	\$20,000.00
Russell Library	\$6,000.00
Gilead Community Services	\$9,000.00
Ryan Woods Autism Foundation	\$5,000.00
MAPS (Mdsx Area Patient Serivces, Inc.)	\$1,500.00
MSCAAC	\$4,000.00
TOTAL	\$117,000.00

Fiscal Impact: There is no fiscal impact; funding for the grants are in the 2011-12 Budget.

Agenda Item 9-3

Councilman Daley reads and moves for approval agenda item 9-3; his motion is seconded by Councilman Pessina.

Councilman Daley states just to clarify some of the concerns Mr. Roberts raised during the public hearing, I can tell you they have been helpful to the City both in monitoring the federal earmark money and liaisoning with federal highway for extensions for the use and what restrictions were placed on the use of the funds and the Economic Development Committee voted to recommend this resolution and had a dialogue about shifting the focus because the Governor is being proactive to using bond money to stimulate activity and we want our fair share of those funds when they are available and having someone staying on top of that, those are the reasons they are recommending this.

Councilman Bauer states Councilman Daley stated what he would have said; he adds that this outfit does have a strong presence in DC and the Statehouse and I felt it was their flexibility and we can direct their attention to where the money currently is and that makes them cost effective and why he supported it.

Councilman Faulkner states that answers some of his concerns and he was curious about their expertise and they are switching and they are capable as well. Are we taking full advantage of the things they have done. They were involved with the parking lot at the arcade and he is waiting to see that happen and he hopes we are taking advantage of the positions this outfit has put us in. We have to execute to take advantage of what they have done.

The Chair, hearing no further discussion, calls for the vote; it is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven affirmative, no negative, and one absent and not voting.

Resolution No. File Name Description

125-11

pcdpanuziogiordano11-12.doc

Approving the retention of Panuzio & Giordano to represent the City of Middletown for an additional 12 months from July 1, 2011 through June 30, 2012 to secure the delivery of federal funding to the city and to work for additional funding from the State of Connecticut as well as lobby for and against appropriate legislation affecting Middletown; authorizing

(Approved)

the Mayor to sign the documents; and approving a transfer of \$24,000 from the Economic Development fund balance to line item 4330-14000-99200-0000-35150, Panuzio Giordano Parking &Transportation.

WHEREAS, Panuzio & Giordano Public Affairs has assisted in applying for and receiving federal funds and will be critical in working with Middletown's congressional delegation and their staff to receive extensions and approvals to utilize said funds and to secure the former Nike site on Mile Lane and assist with the Omo Manufacturing Superfund site; and

WHEREAS, Panuzio & Giordano Public Affairs has advised the City of Middletown to change their lobbying efforts to emphasize seeking funding from the State of Connecticut and maintain an advisory capacity to the City of funding opportunities from the Federal government; and

WHEREAS, at the July 11, 2011 meeting of the Economic Development Committee (EDC) the Committee voted unanimously to recommend the retention of Panuzio & Giordano to represent the City of Middletown for an additional 12 months from July 1 2011 to June 30, 2012 to ensure the delivery of the funding to the City and to secure additional State of Connecticut funding and to lobby for and against, as appropriate, legislation affecting Middletown.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN:

That a transfer of \$24,000 from the Economic Development Fund be made to line item 4330-14000-99200-0000-35150-0000-000 Panuzio Giordano Parking & Transportation, and

BE IT FURTHER RESOLVED: That the Mayor is authorized to sign all documents to effectuate an agreement with Panuzio & Giordano Public Affairs LLC for a period of 12 months at a rate not to exceed \$2,000 per month.

FISCAL IMPACT: No impact to the General Fund. The fees are paid by the Economic Development Fund.

Agenda Item 9-4

Councilman Drew reads and moves agenda item 9-4 for approval and is seconded by Councilman Pessina. The Chair states the item has been moved and seconded and recognizes Councilman Santangelo. He states this evening he will not support this. His feeling is that the room suggested is an unsecured room and you don't want this type of activity in an unsecured room. There is a lot of activity in that room and if something occurs during a workday, this is not the location for this activity. He will be opposing this, this evening. Councilman Serra states he holds the same thoughts, but we do have a brand new generator and he asked the question at the Telecommunication meeting relative to that room as an emergency control center and the answer given is that they would be able to do some reinforcements, etc. but they are taking steps to do that and he will support this.

Councilwoman Kleckowski states the reason this is being done is because of the generator; in order to have it, we had to have the system put in and an emergency operation center in City Hall. Councilman Santangelo responds it is the wrong place. Councilwoman Kleckowski states it is because of the generator.

Councilman Pessina states he respects the concern of Councilman Santangelo, but there are products that will protect the windows during an emergency. It gives us an opportunity to run government. It is continuity of government and it is important that certain services need to go on in an emergency with radio communications. If you take it out of City Hall, you lose that. He saw that with the explosion of Kleen Energy. We are now top of the line and we will have continuity of government. The generator was a great acquisition and the citizens win on this one because government continues in trying times.

Councilman Bauer asks through the Chair and is surprised about Councilman Santangelo's reservations. As the longest serving member of Public Safety, do you intend to review where the continuation of government would take place. We are evolving and will have a new Fire Safety Center. Would you be continually looking at this operation and making sure we have the best location and services we can. Councilman Santangelo states he didn't want to debate anything. Continuity of government is not to take it out of City Hall. It is the room that is unsecured. In Public Safety the discussion is about the activity around the room, curiosity. When you make command decisions, you need quiet and not have things going on around you. The comment was not to take it out of City Hall nor to discontinue government, but a room to do the job without distraction. It has windows along one side and doors going in and out and people go see what is going on in that room. He has been in the control room many times and recommends there is a better place to put this. Councilman Bauer thanks him for sharing his observations.

The Chair states if there is no further discussion, I will call the vote. It is nine aye votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Streeto, Kleckowski, Bauer, and Drew; and two nay votes by Council Members Santangelo and Faulkner. The Chair states the matter passes with nine affirmative, two opposed and one absent and not voting.

Resolution No. File Name Description

126-11

emlocipradiosystemroom208.doc

Authorizing the Mayor to submit an application to the State of Connecticut for a Local Capital Improvement Program grant in the amount of \$4,200 for the purchase and installation of two control stations and antenna systems for Room 208 which is used as an Emergency Operations Center and approving creating a new Capital Improvement line item, Public Safety Wireless Network in the amount of \$4,200.

(Approved)

Whereas, Room 208 in the Municipal Building has been equipped to operate as an Emergency Operations Center; and

Whereas, a radio system is required to properly communicate with emergency personnel during a crisis situation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Mayor Sebastian N. Giuliano be authorized to sign an application to the State of Connecticut for \$4,200 from the Local Capital Improvement Program (LoCIP) to purchase and install two control stations and antenna systems to facilitate radio; and

BE IT FURTHER RESOLVED: That a new Capital Improvement line item, Public Safety Wireless Network, in the amount of \$4,200 be authorized.

Financial Impact Statement

By using LOCIP funds, the City will not need to appropriate dollars from the General Fund for this project.

Agenda Item 9-5

Councilman Serra reads and moves for approval agenda item 9-5; his motion is seconded by Councilman Pessina.

Councilman Serra states this is recommended by the Parking Advisory Committee with advise from the Public Works Director to do this sealed coating. It is supposed to give life to the Arcade for 3 - 5 years until a decision is made and Councilman Faulkner has concerns about the insurance claims and by doing this, we will free up 50 parking spaces. He hopes everyone will support this.

Councilman Bibisi states to reiterate what Councilman Serra stated we don't have a choice on the matter and this is a band aid and we know we need to do serious construction on the Parkade and it will give us a life span of 3 -5 years.

Councilman Faulkner does have concerns and likes the fact we will take action; he doesn't want us to push it out. We pushed it out the last time. His other concern is going through the purchasing Standardization Committee and waiving the bids and he doesn't know if it is a timing issue or the only ones who can do this. Councilman Serra responds this is the Public Works Director; he said this is the only company that does this type of thing. These monies are coming form the Parking Department because they did well.

The Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven affirmative votes, no negative votes, and one absent and not voting.

Resolution No. File Name Description

127-11

pkdbidwaiverformmguttersys&crafcosealant.doc

Approving the waiving of the Competitive Bidding Requirement in accordance with Section 78-8 of the Middletown Code of Ordinances to hire Frank Capasso & Sons for the installation of the MM Gutter system at a cost of \$10,980 and to hire Connecticut Sealcoating, LLC for the application of the Crafco hot applied sealant at a cost of \$12,000 at the Municipal Parking Arcade as recommended in the report to extend the service life of the Municipal Parking Arcade.

(Approved)

Whereas, Purcell Associates, in a report dated February 24, 2011, identified spot repairs and selective improvements to extend the service life of the Municipal Parking Arcade; and

Whereas, the Purchasing and Standardization Committee interviewed Acting Parking Director Roger Beliveau, Director William Russo, Building Inspector John Parker and Construction Inspector Bob DeManche regarding the improvements recommended in the report; and

Whereas, it was the consensus that the City move forward with the application of the Crafco hot applied sealant and the installation of a MM flexible gutter system; and

Whereas, these repairs will prevent damages to vehicles in the lower level of the Arcade, reduce the number of claims the City has received due to liquid and debris leaking from the upper deck, and increase the number of parking spaces available to the public; and

Whereas, it is imperative the repairs are completed during the construction season and also to prevent future insurance claims for damaged vehicles on the lower level of the arcade; and

Whereas, the Parking Advisory Committee unanimously endorsed the two methods recommended for improvements and to move the matter to the Common Council for further action; and

Whereas, the Purchasing and Standardization Committee has approved the requested Bid Waiver with a 2-0 vote on July 26, 2011.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That two bid waivers, in accordance with Section 78-8 of the Middletown Code of Ordinances, be approved to hire Frank Capasso & Sons, Inc. for the installation of the MM gutter system at a cost of \$10,980.00 and to hire Connecticut Sealcoating, LLC for the application of the Crafco hot applied sealant at a cost of \$12,000.00.

Financial Impact Statement

The funds for these expenditures will be drawn from the Parking Department bonds funds.

Agenda item 9-6

Councilman Klattenberg reads and moves for approval agenda item 9-6; his motion is seconded by Councilman Pessina.

Seeing no discussion, the Chair calls for the vote. It is approved by ten aye votes by Council Members Serra, Klattenberg, Daley, Bibisi, Santangelo, Streeto, Faulkner, Kleckowski, Bauer, and Drew and one abstention by Councilman Pessina. The Chair states the matter passes with ten affirmative votes, no negative votes, one abstention, and one member absent and not voting.

Resolution No. File Name Description

128-11

pwdaniels711bldgrefund.doc

Approving the refund of a building permit fee to Daniels Propane, LLC in the amount of \$15.26 for work canceled at 72 Coles Road.

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL, OF THE CITY OF MIDDLETOWN:

That a Building Permit refund be issued to Daniels Propane LLC, 8 High Street, Portland, CT 06480 in the amount of \$15.26 for work that was canceled at 72 Coles Road.

Fiscal Impact: There is no impact; this is returning overpaid fees.

Agenda item 9-7

Councilman Streeto reads and moves for approval agenda item 9-7; his motion is seconded by Councilwoman Kleckowski. The Chair calls for the vote and it is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven affirmative, none in opposition and one absent and not voting.

Resolution No. File Name Description

129-11

pwtuminski711bldgrefund.doc

Approving the refund of a building permit fee to Elzbieta Tuminski in the amount of \$15.26 for work canceled at 3 Heather Square, Middletown.

(Approved)

BE IT RESOLVED BY THE COMMON COUNCIL, OF THE CITY OF MIDDLETOWN:

That a Building Permit refund be issued to Elzbieta Tuminski, 25 Newbury Road, Cromwell, CT 06416 in the amount of \$15.26 for work that was canceled at 3 Heather Square in Middletown.

Fiscal Impact: There is no fiscal impact; this is returning overpaid fees.

Agenda Item 9-8

Councilman Drew reads and moves for approval agenda item 9-8; his motion is seconded by Councilwoman Kleckowski.

Councilman Serra asks through the Chair, the intent was to refer this to Ordinance Study to check out the laws that pertain to this to get it right. He would like to refer this to Ordinance Study. Councilman Bauer seconds the motion.

The Chair asks if Councilman Pessina wants to discuss the motion to refer. Councilman Pessina poses a question to Councilman Klattenberg and Councilman Daley; as he recollects this was voted down and should not have been on the agenda. Councilman Klattenberg states he saw in the minutes from the July meeting when the issue was brought up it was sent to several committees and was not approved and Finance and Government Operations was not the only committee it was referred to. Councilman Serra states the committees and commissions and the public, like the Chamber, needs to weigh in and that is why he would like it to referred. The Chair states under our Charter a committee can't kill an item and the proponent it would be unfair to remove it without her consent. You can act or refer it. Councilman Pessina states to Councilman Streeto will you be speaking to Attorney Dupres from New Haven who rendered an opinion. Councilman Streeto responds he heard Attorney Dupres' name for the first time from Roger and that was his intention and Roger left with my cell phone number. He hopes that everyone will work for a consensus so it complies with the State statutes. We need to make sure we are in compliance with State law and what is best for the Parking Department and handicapped community. He believes there is enough common ground and that is his goal. He asks the Council to make suggestions to him or the Acting Parking Director. Councilman Pessina states she is an expert in this and there is a large hue and cry against this ordinance. Councilman Streeto appreciates the sentiments and it should go back to committee.

The Chair calls for the vote. It is unanimous, with eleven aye votes to refer this to Ordinance Study. The Chair states the motion to refer is adopted with eleven affirmative, no negative votes, and one absent and not voting. Councilman Faulkner states the work done by Tina Gomes, you might want to invite the other towns because they are all over the place. The Chair states they contacted CCM to see what other communities are doing.

Ordinance No. File Name Description

15-11

sec285-17rev2011.doc

Approving amending subsection E of Section 285-17 Parking lots and meters of Chapter 285 of the Middletown Code of Ordinances to exempt owner/operators with a valid handicap parking authorization from this section of the ordinance.

(Referred to Ordinance Study)

Be it ordained by the Common Council of the City of Middletown: That subsection E of Sec. 285-17. Parking lots and meters of Chapter 285 of the Middletown Code of Ordinances be amended as follows:

- E. Violations; overtime parking.
- (1) No owner or operator shall cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime, whether on a highway or in a parking lot, as is allowed by meter or sign.
- (2) Whenever a vehicle remains in a parking space for a period of one hour after being cited for a violation of this Code of Ordinances it may also be cited additionally each one-hour period for overtime parking and the violator shall be subject to fines and penalties as provided in this Code of Ordinances.
- (3) An owner or an operator possessing, and displaying in the vehicle, a valid handicap parking authorization issued by the State of Connecticut shall be exempt from the provisions of this section.

Agenda Item

9-9

Councilman Klattenberg reads and moves for approval agenda item 9-9, and his motion was seconded by Councilman Pessina.

The Chair, seeing no discussion, calls for the vote. It is ten affirmative votes by Council Members Serra, Klattenberg, Pessina, Daley, Bibisi, Santangelo, Streeto, Kleckowski, Bauer, and Drew and one nay vote by Councilman Faulkner. The Chair states the matter passes with ten affirmative votes, one negative vote, no abstentions, and one absent and not voting.

Resolution No. File Name Description

130-11

pwbidwaiverforC&CConcretecurb.doc

Approving the waiving of the competitive Bidding Requirement in accordance with Section 78-8 of the Middletown Code of Ordinances to purchase concrete curbing from C&C concrete Curb until such time as a State bid is approved or the city's Purchasing Department has the opportunity to bid the product.

(Approved)

Whereas, the City's Engineering Department has relied on the State of Connecticut bid for the installation of concrete curbing for road reconstruction projects; and

Whereas, the State of Connecticut contract expired on March 18, 2010; and

Whereas, the State Purchasing Department tried to bid this work twice and did not receive any responses since the expiration date; and

Whereas, the vendor has agreed to hold his pricing for this construction season; and

Whereas, there is insufficient time to produce a City bid for work already planned this summer; and

Whereas, the Purchasing and Standardization Committee has approved the requested Bid Waiver with a 2-0 vote on July 26, 2011.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That a bid waiver, in accordance with Section 78-8 of the Middletown Code of Ordinances, be approved to purchase concrete curbing from C&C Concrete Curb until such time as a State bid is approved or the City's Purchasing Department has the opportunity to competitively bid this product.

Financial Impact Statement

The funds for these expenditures will be drawn from Road Improvement Bonds funds.

Agenda Item 9-10

This item was removed from the agenda at the beginning of the meeting.

Agenda Item 9-11

Councilman Drew reads and moves for approval agenda item 11-11; his motion is seconded by Councilman Pessina.

The Chair recognizes Councilman Drew who would like to address some of the concerns regarding the fee structure and it was modeled on the Chamber events and this is just about twice the length of Cruise Nite. It is a number consistent with the needs of the organization and that is how the costs were arrived at. He compliments Lucy, Jennifer, and Mark for Middnight on Main. Most events are for adults and this is a family friendly event and it is one more thing that makes Middletown great and he enthusiastically supports the resolution.

Councilman Bauer wants to follow up. He asks the maker of the motion, whatever was calculated, the 3 p.m. figure, is it not when double time starts. Councilman Drew states they are waiting on specific costs and it is twice the length of Cruise Nite; it is a good cost to begin with. This is a reasonable amount going into the event. Councilman Bauer states this is a new idea and we were not cognizant when we were doing the budget; this budget is extremely tight and bear bones and without an appropriation, where is the expectation; is it that you take the \$10,000 from the fund balance and will it be less for seniors or something for the kids. Where is the money coming from if it is a tight budget. Councilman Drew states this is an appropriation; it will showcase Middletown and people will come back and spend money. Councilman Bauer states the appropriation is not there. The Chair states the double time is only applicable if we have to call in anyone. The Police and Fire don't get double time; they are regular shifts. In terms of what we have to do, the committee has convened on this since March and every month more flesh gets put on the bones. If an appropriation is needed, we will come forward with one. It is my hope that we can do this without much more than what we put on the street on New Year's eve. We expect generally a considerable larger crowd than a normal December evening and prepare for it. It is a sponsorship of events at specific venues and right now we are not talking about using the street and closing it for a significant amount of time. The thing about New Year's eve by 6 p.m. everyone is where they will be so those in traffic should be able to deal with the crowd; it is not a traffic event, it is walking. It won't be such a mass of vehicles that it will be super extraordinary to deal with. That is everyone's hope. If we have to buffer that, we will figure out the money without breaking the bank.

Councilman Bauer states he will support it and thanks for the assurances and process matters when spending the taxpayer money. We are helping the revenue of the businesses but it doesn't help the taxpayer. With conflicts we have had, the Council should be sensitive about the duties of the Council from other members of the Charter. Once we approve the budget, it is a bit meddling with some departments and we are kind of telling them what to do after the fact and we have to be sensitive doing our job and not meddle. He likes to keep these things clear so we don't have unforeseen hardships by imposing our will after approving the budget for the fiscal year.

Councilman Pessina states he will support the resolution and he too thanks Lucy, Jennifer, and Mark to showcase Main Street on the holiday and after listening to the comments, he sees a natural partnership as we are ending our successful Chamber of Commerce Holiday on Main Street now

Middletown will offer a new year event and their estimates of 3 -5,000 are good. It will be a fun and safe night and will show what we have in Middletown. He is happy to hear about the 4th of July and during these times we need to offer a little something so our residents can feel good about themselves. He supports this because of the fine work that has been put into this.

Councilman Bibisi states he will support this as well; his concern is that he hopes that he doesn't put the tree lighting in jeopardy. The Chair states it will happen. Councilman Bibisi states it draws a lot of people. The Chair states that is in the budget.

Councilman Serra states the money is in special accounts; this Council does a good job relative to the budget and we buried the negativity of the last few years. We just voted on \$40,000 for the fire works. We are talking about the possibility of overtime here and for an event where it is \$10,000 in over \$100 million budget, we are doing well. It is time to do these things for the citizens of Middletown. He will support this.

Councilman Daley states Middletown is unique in what we offer and this enhances it and takes it to another level. He is struck that we have had a New Year's celebration for years at Long Hill Estate on New Year's day and this event may attract more to the celebration on New Year's day and we could have more events there. It goes together. We have a great variety of cultural events and restaurants that attract people to the community and spreading the word about our community should be commended. We should thank the committee, the churches and other organizations behind this event and acknowledge it is a grassroots type of event and they are asking for our help. The \$10,000, I looked at that part of the resolution in a different way; that is, we are putting a cap on it and limiting the amount and it comes to the Council if more will be spent and it shows the responsibility that is being used in carrying out the event. The Departments will do their best to support it within their existing budget just like Public Works does with snow and they come back and if they have to come back, we should be able to endure it. It is not an undue hardship on the budget. He will support this and urges everyone to do so.

Councilman Faulkner states he will support this; he was lukewarm and thought about Memorial Day and everything got canceled and the citizens said no you're not going to because we are going to do it anyway. This is a good rebound for the City to get us back to the feeling we had on Memorial Day and carry it forward. He will support this and encourages the citizens to get involved and pull in more organizations to complement this effort.

Councilman Drew states there is one thing he would like to respond to; this event will not bring money back to the City coffers, but this is the type of event to encourage business to invest in Middletown and it is precisely what is needed to grow the City's coffers.

The Chair states we don't know how much we make on the tree lighting and Holiday on Main and it does have a positive impact on the City. We can't quantify what it is. It seems a natural progression to go to this. I know Jennifer called me in February and asked what I thought about it and his reaction was to go forward. We have a better venue and we don't have anything to lose. It is worth the try. These things tend to only get better and we hope to reward those who put in their effort by rewarding them by passing this.

The Chair calls for the vote. It is unanimous to approve with eleven aye votes. The Chair states the matter passes with eleven affirmative votes, no negative votes, and one absent and not voting.

Resolution No. File Name Description

(Approved)

131-11 ccmiddnightonmain2011.doc

Approving accepting the co-sponsorship of Middnight on Main on December 31, 2011 from 3 p.m. to 12 a.m. with Middnight on Main organization to include restricting non-essential vehicle traffic on Main Street between Washington Street and Court Street and the use of various City Departments that may be required to ensure the public health and safety at the event.

WHEREAS, the organization called Middnight on Main is planning to hold its first annual îMiddnight on Main 2012ï, a family-friendly New Year's Eve festival on Main Street, Middletown on December 31, 2011 from 3:00 p.m. to 12:00 a.m.; and

WHEREAS, this event will benefit the entire community.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the City of Middletown proudly accepts the position of co-sponsor for the control of the control of

"Middnight on Main 2012", along with the "Middnight on Main" organization, and that this event be recognized as a special event and that Section 218-9 C of the Middletown Code of Ordinances be in effect for this event; and

BE IT FURTHER RESOLVED: That fees including personnel, for the showmobile cannot be

BE IT FURTHER RESOLVED: That the Common Council of the City of Middletown authorizes the Middletown Police Department to restrict non-essential vehicular traffic on Main Street between Washington Street and Court Street between the hours of 3 p.m. to 12 a.m.; and

BE IT FURTHER RESOLVED: That the Common Council does request that the Departments of Public Works and Park and Recreation, Economic Development, Police, Fire, and Health render all such assistance and support as may be required to ensure the public health and safety for this event: and

BE IT FURTHER RESOLVED: That the City of Middletown shall expend not more than \$10,000 for said City Services for this event without further councilmanic approval; and

BE IT FURTHER RESOLVED: That the Organization receiving funding from the City be requested to file a report to the City indicating the expenses and accomplishments for the City of Middletown.

Fiscal Impact:

Agenda Item Description (Approved)

10

Mayoris Appointments

The Chair reads the Mayor's appointments and asks for a motion to approve. Councilman Serra moves them for approval and his motion is seconded by Councilman Pessina. Councilman Faulkner asks on the Citizen Advisory the senior rep, is that part of the new form. The Chair states he believes it is. There is no further discussion; the vote is called. It is unanimous to confirm with eleven aye votes. The Chair states the matters pass with eleven affirmative, no negative, one absent and not voting and no abstentions.

Citizens Advisory Committee:

Appointment of Leslie Beaudry as Senior Rep to August 31, 2015.

Long Hill Estate Authority:

Appointment of Susan L. Carnell to August 31, 2014.

Senior Services Committee:

Appointment of Claude Hendrickson to March 31, 2014.

Agenda Item

Description

Contingency Fund Transfers

No Contingency Fund Transfers

Agenda Item

Description

Questions to Directors on Nonagenda Items

There are no questions to directors for nonagenda items.

The Chair recognizes Councilman Klattenberg who would like to bring to the attention of the Council Eckersley Hall; we promised to keep the Council abreast of the progress of the hall. Last Tuesday, the City received 17 proposals on the building and we are in the process of reviewing those and hopefully by the middle of September, we should know the finalists and by the end of September, we should know who the architect is. Councilman Pessina states they are excited by the response.

The Chair states we can claim that you asked yourself a question under questions to directors; he states you can report under committee reports and you can make an oral report.

Motion to Adjourn

Councilman Serra moves to adjourn and his motion is seconded by Councilman Bauer. There is no discussion and the vote is called. It is unanimous to adjourn and the Chair declares it at 8:32 p.m.

ATTEST:

MARIE O. NORWOOD Common Council Clerk